

04/20/01



4-4-01  
A

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**  
**UTILITY PATENT APPLICATION TRANSMITTAL**  
(For new non-provisional applications under 37 CFR § 1.53(b))

J1002 U.S. PTO  
09/02/01 824988 Pro

Atty. Dkt. No: 5500-66500	
Inventor(s): William A. Hughes Kevin J. McGrath	
Title: Establishing a Mode Indication Responsive to Two or More Indications	

**CERTIFICATE OF EXPRESS MAIL  
UNDER 37 C.F.R. §1.10**

"Express Mail" mailing label number: EL822011829US  
DATE OF DEPOSIT: April 2, 2001

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the date indicated above and is addressed to:

Assistant Commissioner for Patents  
Box Patent Application  
Washington, DC 20231

Derrick Brown

**Application Elements**

1.  Filing Fee

The filing fee is calculated as shown below.

Total Claims	49	-20=	29	x \$18.00=	\$522.00
Independent Claims	5	-3 =	2	x \$80.00=	\$160
Multiple Dependent Claims				Fee:	0
				Basic Fee:	\$710.00
				Assignment Fee	\$40.00
				Sub-Total:	\$1,432.00
				Reduction by 50% for Small Entity:	0
				Total:	\$1,432.00

Two Fee Authorization Forms totaling \$1,432.00 is enclosed.

The Commissioner is hereby authorized to charge any other fees which may be required or credit any overpayment to Conley, Rose, & Tayon, P.C., Deposit Account No. 501505/5500-66500/LJM.

**One duplicate copy of this form is enclosed.**

2.  Specification

46 page(s) of specification; 9 page(s) of claims, 1 page(s) of abstract

3.  Drawings

Formal Figure(s) 1-19 on 15 sheet(s)

4.  Oath or Declaration

Newly executed

Copy from a prior application (see 37 C.F.R. § 1.63(d))

Deletion of Inventor(s) (in continuation or divisional applications):

Delete the following inventor(s) named in the prior non-provisional application:

The inventor(s) to be deleted are set forth on a signed sheet attached hereto.

5.  The entire disclosure of the prior application referred to above is considered to be part of the accompanying application and is hereby incorporated by reference herein.

6.  Microfiche Computer Program (Appendix)

7.  Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)  
 Computer Readable copy  
 Paper Copy (identical to computer copy)  
 Statement verifying identity of above copies

8.  Assignment Papers

9. Power of Attorney  
 Is attached.  
 The power of attorney appears in the original papers of the prior application.  
 Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.

10.  Information Disclosure Statement (IDS)  
 Copies of IDS Citations

11. Amendments  
 A preliminary amendment is enclosed.  
 Cancel in this application claim(s) \_\_\_\_\_ before calculating the filing fee. At least one independent claim is retained for filing purposes.  
 Amend the specification by inserting before the first line the sentence:\_\_\_\_\_.

12.  Return Receipt Postcard

13. Small Entity Status  
 A small entity statement is enclosed.  
 A small entity statement was filed in the prior non-provisional application and such status is still proper and desired.  
 Is no longer claimed.

14.  Priority of foreign application number \_\_\_\_\_, filed on \_\_\_\_\_ in \_\_\_\_\_ is claimed under 35 U.S.C. §§ 119(a)-(d)

15.  Petition under 37 C.F.R. § 136 for Extension of Time

16.  Other: Request and Certification

Address all future correspondence to:

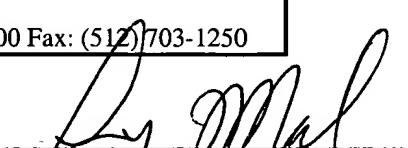
Lawrence J. Merkel  
Conley, Rose, & Tayon, P.C.  
P.O. Box 398  
Austin, Texas 78767  
Phone: (512) 476-1400 Fax: (512) 703-1250

Signature

Name

Registration No.

Date

  
Lawrence J. Merkel

41,191

April 2, 2001

10/02/01  
JC813 U.S. PTO

04/02/01  
U.S. PTO  
09/02/01  
JC1002

PATENT  
(5500-66500/TT4233)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: Unknown  
Filed: Concurrently herewith  
Inventor(s):  
William A. Hughes  
Kevin J. McGrath

Title: Establishing a Mode  
Indication Responsive to  
Two or More Indications

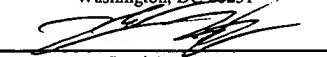
§ Examiner: Unknown  
§ Group/Art Unit: Unknown  
§ Atty. Dkt. No: 5500-66500

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Commissioner for Patents  
Box Patent Application  
Washington, DC 20231

  
Derrick Brown

FEE AUTHORIZATION

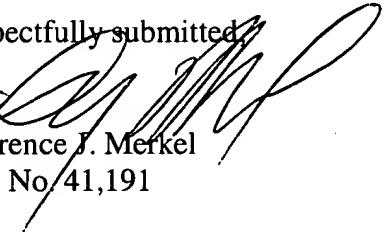
Commissioner for Patents  
Washington, D.C. 20231

The Commissioner is hereby authorized to charge the following fee to Conley,  
Rose & Tayon, P.C. Deposit Account Number 501505/5500-66500/LJM:

Fee: Filing Fee Amount: \$710.00 Attorney Docket No.: 5500-66500  
Fee: Excess Total Claims Amount: \$522.00 Attorney Docket No.: 5500-66500  
Fee: Excess Indep. Claims Amount: \$160.00 Attorney Docket No.: 5500-66500

The Commissioner is also authorized to charge any extension fee or other fees  
which may be necessary to the same account number. If the abovementioned account is  
found to have insufficient funds, the Commissioner is authorized to charge Conley, Rose  
& Tayon, P.C. Deposit Account Number 501623/5500-66500/LJM.

Respectfully submitted,

  
Lawrence J. Merkel  
Reg. No. 41,191

Conley, Rose & Tayon, P.C.  
P.O. Box 398  
Austin, TX 78767-0398  
(512) 476-1400  
Date: April 2, 2001

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 Box Patent Application  
 Washington, DC 20231



Derrick Brown

REQUEST AND CERTIFICATION  
UNDER  
35 U.S.C. 122(b)(2)(B)(i)

Atty Docket Number:	5500-66500
First Named Inventor:	William A. Hughes
Title:	Establishing a Mode Indication Responsive to Two or More Indications

J1002 U.S. PRO  
09/02/01  
04/02/01



I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b)

April 2, 2001

Date



Signature

Lawrence J. Merkel 41,191  
 Typed or printed name Reg. No.

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**